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Attorneys for State Bank of Southern Utah

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF UTAH

In re:

ALLEN BEAL, an individual,

Debtor.

Bankruptcy No. 19-20276
(Chapter 7)

STATE BANK OF SOUTHERN UTAH, a
Utah banking corporation,

Plaintiff,

vs.

ALLEN BEAL, an individual,

Defendant.

Adversary No. 19-02043

Hon. R. Kimball Mosier

STATEMENT OF ELECTION

On May 5, 2020, Counter-Plaintiff State Bank of Southern Utah, a Utah banking corporation, ("**State Bank**") by and through its undersigned counsel, Ray Quinney & Nebeker

P.C., filed its Notice of Appeal of the Bankruptcy Court's *Order and Judgment Denying Motion to Extend Time, Granting Defendant's Motion to Dismiss and Dismissing Adversary Proceeding* [Dkt. 29] (the "*Judgment*") and *Memorandum Decision/Opinion and Order* [Dkt. 28] (the "*Memorandum Decision*") entered by the Honorable Judge R. Kimball Mosier, United States Bankruptcy Judge, on March 31, 2020, in the above-captioned adversary proceeding. Copies of the *Judgment* and *Memorandum Decision* were attached to the Notice of Appeal.

Pursuant to 28 U.S.C. § 158(c)(1)(A), Federal Rule of Bankruptcy Procedure 8001(e)(1), and DUCivR 83-7.9, State Bank hereby elects to have its appeal of the *Judgment* and *Memorandum Decision* heard and decided by the United States District Court for the District of Utah.

Dated this 5th day of May 2020

RAY QUINNEY & NEBEKER P.C.

/s/ Steven W. Call
Steven W. Call
Attorneys for State Bank of Southern Utah

CERTIFICATE OF SERVICE

I hereby certify that on the 5th day of May, 2020, I electronically filed the foregoing **Statement of Election** with the United States Bankruptcy Court for the District of Utah by using the Court's CM/ECF System. I further certify that the parties of record in this case, as identified below are registered users and will be served through the CM/ECF system:

- Will Morrison, (willmorrison01@gmail.com)
- Discharged chapter 7 trustee, Phillip Jones, (trustee@theo7.com)

I further certified that on the 5th day of May, 2020, I caused to be served a true and correct copy of the foregoing Statement of Election by first-class mail, postage prepaid, addressed as follows:

Allen Beal
409 W. 100 S.
Sanpete, Utah 84627

/s/Lisa Conterio, Legal Assistant

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